

EAST AFR. PROT.
11954

C. O.
11954
REC'D
19 APR 12

190

Foreign
Date.
1912
18 Apr.
previous Paper.
1667
11/11

Mr. F. R. Payne.

States that Mr. Payne has complained of treatment rec^d when travelling in Congo in Oct. 1910 at the hands of Belgian auths. Latter maintain that Mr. Payne was shooting elephants without a license & that he had been engaged in poaching on a large scale. Note that enquiry be made of Gov. E.A.P.

Copy to Govs of E.A.P. & Uganda for ~~report~~, sending a copy of 7.0 / 1667/11, & ask them to furnish the infⁿ desired by the 7.0; so far as they are able; & tell 7.0. what we have done.

FRB.

April 23.

at once.

FRB

11 July 20838

subsequent Paper

19609 Uganda

In any further communication
on this subject, please quote

No. 14880/12.

and address—

The Under-Secretary of State,
Foreign Office,
London.



Sir:-

I am directed by Secretary Sir E. Grey to state for the information of Mr. Secretary Harcourt that a Mr. F. R. Payne, now residing in Nairobi, has complained of the treatment which he received when travelling in the Congo in October 1910 at the hands of the Belgian Authorities.

The Belgian officials maintain that Mr. Payne was shooting elephants without a licence and that he had been engaged in poaching on a large scale. They also deny that Mr. Payne received any unfair treatment.

In these circumstances Sir E. Grey would be much obliged if it could be ascertained whether the Government of the British East Africa Protectorate have any information with regard to Mr. Payne, and especially whether

Under Secretary of State,
Colonial Office,

(14880/12).



whether there is any reason to suspect him of
elephant poaching.

I am,

Sir,

Your most obedient,

humble Servant,

L. M. M. M.

CONGO.

[January 4.]

CONFIDENTIAL.

SECTION 1.

[348]

No. 1.



Acting Consul Campbell to Sir Edward Grey.—(Received January 4, 1911.)

(No. 112.)

Sir,

Boma, December 8, 1910.

I HAVE the honour to transmit to you herewith copy of Vice-Consul Armstrong's despatch of the 19th October last relative to the behaviour of certain British subjects in the Uele district.

I have, &c.

GERALD CAMPBELL.

Enclosure in No. 1.

Vice-Consul Armstrong to Acting Consul Campbell.

Sir,

Aba, October 19, 1910.

I HAVE the honour to report that, upon my arrival at Feradje, the "chef de zone" of the Gurba Dungu informed me that two Englishmen had been found a few days previously to my arrival in the neighbourhood of Feradje by an officer of the judicial police, and as the Government had already been informed by the natives that these men were shooting elephants their guns and ammunition were seized and brought to the above post. The two Englishmen followed the officer into Feradje.

The "chef de zone," speaking of course in support of the action of the police officer, said that for some three months they had heard rumours among the natives that three Englishmen were shooting elephants in the south-east corner of the Gurba Dungu zone, and amongst the very hostile tribe of Uguere. They eventually received more precise information, and the police officer set out with an escort of soldiers, and three days' march from Feradje he fell upon their camp in the early morning and proceeded to make a judicial enquiry into their status, &c. One was a Mr. C. O. Glencross, of Lostwithiel, in Cornwall, and the other a Mr. F. R. Payne, of Exton, Rutland.

Mr. Glencross was provided with papers establishing his claim as a hawkler ("marchand ambulant"), which he had taken out in Dobokelo, near Mahagi, and he also possessed a "permis de port d'armes," in virtue of which he should have had in his possession, besides other big-game guns, two revolvers, one Martini, and a double-barrelled shot-gun. These latter arms, however, were missing, and as the police officer had some ten native eye-witnesses to the fact that he had shot elephants, and as he had no shooting licence, his arms were seized.

Mr. Payne, on the other hand, had no papers whatever, and as he had with him two hammerless "express" rifles, .450 and .375 bores, and a "falling block," .450 bore, rifle—all, of course, elephant or, at any rate, big-game arms—for which he had no licence, and having no licence to shoot any kind of game his arms were seized also.

The "chef de zone" said he was very sorry that they had been obliged thus to inconvenience these two men, because it was always a most unpleasant duty to disturb big-game hunters even when they exceeded, reasonably, the game laws; that these two men seemed to be gentlemen, and that Mr. Glencross had communicated to him his commission establishing the fact that he was an officer in the British army, but that in this case they were unable to close their eyes to the facts because they had exceeded not only the game laws, but the Government had every reason to believe that they had smuggled out some 150 pounds of ivory, and also that one of Mr. Glencross's carriers had shot a native sub-chief with a rifle belonging to the party. In these circumstances, he said, it was no ordinary case of just merely illicit hunting of big game, which might have been overlooked had they promised to leave the country, and he had therefore placed the whole matter in the hands of the judiciary. He furthermore added that there were three Englishmen in this party, and that the one missing

had crossed the frontier with a lot of ivory, so that it appeared on the surface that they were shooting for ivory and trading at the same time, and passing their produce out over the frontier without paying any duties; and, in fact, this supposition had been borne out by native evidence.

The "chef de zone" said that he had seen Mr. Payne, who had behaved very rudely in his presence, and had some correspondence with them both, which he showed me. It consisted merely in a more or less formal demand as to why their arms had been seized, and also in charges of theft against the soldiers who had accompanied the police officer, and who apparently set to work to loot the camp whilst the officer was engaged in drawing up his *procès-verbaux*. The "chef de zone's" replies were to the effect that the matter was now in the hands of the procureur d'Etat, and therefore he could do nothing for them.

I had previously received a complaint against Mr. Glencross, made by an Indian trader established at Aba, to the effect that he had taken a point of ivory from one of his Uganda porters by force, and he had also flogged the boy. This boy was at Feradje when I arrived there, and he identified Mr. Glencross.

I went to see the two men in question, who were encamped a few hundred yards from the post, and I interrogated them upon the various charges made against them by the Government. They of course denied everything.

Mr. Glencross said that he was a lieutenant in the reserve of officers; he was now engaged in the ivory trade, but up to the present he had not bought any; that he had not shot any elephants; that no native had been killed by any one of his boys; and that he had neither flogged nor taken any ivory from the Indian trader's Uganda boy. I pointed out to him, however, that the boy was here, and that he recognised him as the man against whom he had made the charges. He replied that he was present when the boy was flogged by a third Englishman, but that he knew nothing of the ivory. He refused to give the name of the third party, saying, in a very friendly manner, that it was none of his business.

I asked him to show me his Uganda recruiting licence for his thirty odd Uganda boys, and he said that he had none.

Mr. Payne also denied the charge of shooting elephants, and said that he had met Mr. Glencross some three weeks before, and quite by accident, so that he had no business or other relations with him. Mr. Payne was not suspected of complicity in any of the charges made against Mr. Glencross by the police officer. His arms were seized because he had no immatriculation papers, no gun licence, and no trading licence. He had, however, a Uganda recruiting licence for his boys, dated at Fort Portal the 5th August, 1910, and valid for four months.

His defence is that he had entered the Congo somewhere below Wadelai, exactly where he was not sure, and had travelled west with the intention of making Feradje and taking out his various papers there. He declared formally that he had not fired a shot in the Congo. All of these statements are of course fairly plausible, but highly improbable.

I tried to reason with them, pointing out that they had apparently no reason for being in the Congo with all those arms and no ivory to show in support of the trading licence, that they had given no explanation as to the arms missing, and that altogether their case, on the surface, appeared to be a serious one.

Mr. Glencross said that he had given his Martini and shot-gun to the capitas of two batches of boys sent back to Uganda for provisions, and that as the soldiers had not found the two revolvers in his boxes he had concealed them in the bush because it was his intention to return to Uganda, and as the country was peopled with more or less hostile natives he was obliged to have arms of some kind to protect himself and his caravan.

I questioned them as to the third Englishman reported by the Government to be acting in co-operation with them, but they would give me no information beyond the fact that they had no connection with him whatever. They said, however, that they knew of five others who were in the Congo, and they suggested that the authorities had fallen upon themselves in mistake for others.

I advised them both to leave the Congo and not to trouble about their guns, because it was quite certain the Government would not return them.

The "chef de zone" gave me to understand that the authorities would be glad to get rid of them in this manner in order to avoid all the trouble and unpleasantness of legal proceedings.

Mr. Glencross said he would leave the following morning, but Mr. Payne considered that he was entitled to his guns, and would therefore remain until the arrival of a

magistrate in order to make good his arguments. Whether the former left Feradje or not on the following day I do not know, as I was obliged to leave for Aba. I could not of course remain on at Feradje until the arrival of a magistrate, which would have meant a delay of a month or more, and in any case the explanations they gave me were by no means such as would allow me to think that I could have helped them to obtain their arms, since they have both broken the arms regulations at least.

I have, &c.

JACK P. ARMSTRONG.

F.O. 11954:12 195

C.D.
11 25 APR

L.A.P.

Ans a 20838 saf
23592 wgs
Sir,

~~Lip + Co~~

26 Apr 12.

DRAFT.

L.A.P. No 231
O.A.G.

Uganda No 171
Gen F. Jackson

MINUTE.

- Mr. Venning ^{24/4}
- Mr. Butler ^{25/3}
- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

I have to transmit to you ~~for your info~~ the accompanying copy of a letter from the F.O. ~~concerning~~ respecting Mr. J.R.

~~Payment~~ ~~complaint~~ of the treatment which he received at the hands of the Belgian Auth. when travelling through the Congo in ~~October 1910~~

and to ~~I~~ ~~have~~ to request that you will furnish the info desired by the F.O. so far as you are able to do so.

F.O. April 18. 1912.

F.O. Jan 17. 1911 (prints to be got from F.O.)
(1667)

2/5

2. a ~~copy~~ ~~of~~ a

SE

26 April

Sir,
I am to acknowledge the receipt of your ltr. N 14880/12 of the 18th of April & to request you to inform Sec Sir Chyng that the O.S.A.G. of the L.A. & Uga Protcs are being ^{requested} ~~asked~~ to furnish the information desired respecting Mr F.R. Payne, so far as they are able to do so.

Very truly
yours
Hh

The U.S. of S.

Foreign Office

24/4

Mr Butler

25/3.

letter, with its enclosure, received from the F.O. in Jan 5. 1911, in which mention is made of Mr. Payne's proceedings in Congo territory, is also enclosed.

3. A & similar despatch has been addressed to the O.A.G. of Uganda.
the E.A.P.

I have n.